

FILED

MAY - 5 2009

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
DEPUTY**

EASTERN DIVISION

KEVIN G. MCGRAW,

Petitioner,

v.

ROBERT J. HERNANDEZ, Warden,

Respondent.

Case No. EDCV 08-1902-DOC (MLG)

ORDER ACCEPTING AND ADOPTING
FINDINGS AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the petition and all of the records and files and has conducted a de novo review of that portion of the Report and Recommendation of the United States Magistrate Judge to which objections were filed. The Court accepts and adopts the findings and recommendations in the Report and Recommendation and orders that judgment be entered denying the petition with prejudice.

Dated: May 5, 2009

David O. Carter

David O. Carter
United States District Judge